

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Owen Godshall	Team: Squad #2	CCRB Case #: 201903875	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 05/04/2019 3:30 PM	Location of Incident: 1401 Flatbush Avenue; the 70th Precinct stationhouse	Precinct: 70	18 Mo. SOL 11/4/2020	EO SOL 6/21/2021	
Date/Time CV Reported Tue, 05/07/2019 9:42 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 05/07/2019 9:42 AM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Michael Sher	07435	951244	070 PCT
2. SGT Christopher Viola	01277	931386	070 PCT
3. POM Justin Alvarez	14170	956385	070 PCT
4. Officers			070 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Salvatore Carcaterra	19393	962972	070 PCT
2. SGT Ariel Dubitsky	03689	934799	070 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Michael Sher	Abuse: At 1401 Flatbush Avenue in Brooklyn, Police Officer Michael Sher refused to provide his name to § 87(2)(b)	
B.POM Michael Sher	Abuse: At 1401 Flatbush Avenue in Brooklyn, Police Officer Michael Sher refused to provide his shield number to § 87(2)(b)	
C.POM Michael Sher	Discourtesy: At 1401 Flatbush Avenue in Brooklyn, Police Officer Michael Sher spoke discourteously to § 87(2)(b)	
D.SGT Christopher Viola	Force: At 1401 Flatbush Avenue in Brooklyn, Sergeant Christopher Viola used physical force against § 87(2)(b)	
E.SGT Christopher Viola	Abuse: At 1401 Flatbush Avenue in Brooklyn NY, Sergeant Christopher Viola searched the vehicle in which § 87(2)(b) was an occupant.	
F. Officers	Force: At 1401 Flatbush Avenue in Brooklyn, officers used physical force against § 87(2)(b)	
G.POM Justin Alvarez	Off. Language: At 1401 Flatbush Avenue in Brooklyn and the 70th Precinct stationhouse, Police Officer Justin Alvarez made remarks to § 87(2)(b) based upon race.	

Officer(s)	Allegation	Investigator Recommendation
H.POM Justin Alvarez	Off. Language: At 1401 Flatbush Avenue in Brooklyn and the 70th Precinct stationhouse, Police Officer Justin Alvarez made remarks to § 87(2)(b) based upon the gender of the victim.	
I.SGT Christopher Viola	Discourtesy: At 1401 Flatbush Avenue in Brooklyn, Sergeant Christopher Viola spoke discourteously to § 87(2)(b)	
J.POM Justin Alvarez	Abuse: At the 70th Precinct stationhouse, Police Officer Justin Alvarez threatened § 87(2)(b) with the use of force.	
K. Officers	Abuse: At 1401 Flatbush Avenue in Brooklyn, officers did not obtain medical treatment for § 87(2)(b)	

Case Summary

On May 7, 2019, § 87(2)(b) filed this complaint with the CCRB via telephone. On May 8, 2019, she filed a duplicate complaint with IAB via telephone. It was received at the CCRB on May 14, 2019 via IAB log # 2019-18342.

§ 87(2)(b) provided her mailing and email addresses and a telephone number. During an initial call on May 9, 2019, she stated that she was uncertain of whether she wished to provide a sworn statement to the CCRB and asked for time to consider the matter. During a follow-up call on May 14, 2019, § 87(2)(b) scheduled an interview appointment for May 30, 2019. An automated SMS reminder was sent to her in advance of the appointment. § 87(2)(b) did not appear for her interview appointment. She did not call ahead to cancel or reschedule. A first missed-appointment letter was sent and emailed to § 87(2)(b) on May 30, 2019. Follow-up calls were made on May 31, 2019 and June 3, 2019. Voicemails were left on both calls. On June 3, 2019, § 87(2)(b) called and stated that she had not been able to appear for her interview appointment due to a medical issue. She was unable to schedule another appointment at the time. A fifth phone call was made to § 87(2)(b) on June 7, 2019. A voicemail was left. A second missed-appointment letter was sent and emailed to § 87(2)(b) later that day. None of the letters mailed to § 87(2)(b) were returned to the CCRB by the US Postal Service. Both emails were delivered normally. To date, § 87(2)(b) has not responded to these contact attempts. A search of the NYC Department of Correction's online inmate database on June 10, 2019 found that § 87(2)(b) is not currently incarcerated.

§ 87(2)(g)

Squad No.: _____

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date